

**LEMON GROVE CITY COUNCIL  
AGENDA ITEM SUMMARY**

Item No. 1.D  
Mtg. Date November 15, 2016  
Dept. Development Services

Item Title: **Amendment No. 1 of the Professional Services Agreement with Dudek for the Preparation of a Program Environmental Impact Report for the General Plan Update**

Staff Contact: David De Vries, Director of Development Services  
Malik Tamimi, Management Analyst

**Recommendation:**

Adopt a resolution (**Attachment A**) approving Amendment No. 1 of a Professional Services Agreement with Dudek for the preparation of a Program Environmental Impact Report for the General Plan update.

**Item Summary:**

On April 19, 2016, the City Council of the City of Lemon Grove authorized the City Manager to execute a professional services agreement with Dudek to prepare a Program Environmental Impact Report for the General Plan update for an amount not to exceed \$142,290.00. The professional services agreement with Dudek is set to expire on November 30, 2016 unless an extension is otherwise mutually agreed upon and approved. The City Council has consented to extend the date of the General Plan update to late 2017. In line with the recent deadline extension of the General Plan update, City Staff is recommending approval of Amendment No. 1 (**Attachment A**) to extend the existing professional services agreement to December 31, 2017.

**Fiscal Impact:**

No additional Fiscal Impact

**Environmental Review:**

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Not subject to review | <input type="checkbox"/> Negative Declaration           |
| <input type="checkbox"/> Categorical Exemption, Section   | <input type="checkbox"/> Mitigated Negative Declaration |

**Public Information:**

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> None                     | <input type="checkbox"/> Newsletter article   | <input type="checkbox"/> Notice to property owners within 300 ft. |
| <input type="checkbox"/> Notice published in local newspaper | <input type="checkbox"/> Neighborhood meeting |   |

**Attachments:**

A. Resolution



# Attachment A

## RESOLUTION NO. 2016 -

### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE APPROVING AMENDMENT NO. 1 OF THE PROFESSIONAL SERVICES AGREEMENT WITH DUDEK FOR THE PREPARATION OF A PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE GENERAL PLAN UPDATE

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**WHEREAS,** on April 19, 2016, the City Council of the City of Lemon Grove (City Council) approved entering into a professional services agreement with Dudek for the preparation of a Program Environmental Impact Report for the General Plan Update; and

**WHEREAS,** on May 26, 2016, the City Manager of the City of Lemon Grove executed a Professional Services Agreement with Dudek for the preparation of a Program Environmental Impact Report for the General Plan Update; and

**WHEREAS,** on August 2, 2016, City Council accepted an extension of the General Plan Update timeline; and

**WHEREAS,** on November 30, 2016, the professional services agreement with Dudek is set to expire unless an extension is mutually agreed upon and approved; and

**WHEREAS,** City Staff recommends extending the professional services agreement with Dudek to coincide with the time line extension for the General Plan Update; and

**WHEREAS,** City Staff recommends extending the existing agreement with Dudek to December 31, 2017; and

**WHEREAS,** the City Council finds it in the public interest that Amendment No. 1 to the contract with Dudek is approved; and

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Lemon Grove hereby:

1. Approves Amendment No. 1 (**Exhibit A**) of the Professional Services Agreement with Dudek for the preparation of a Program Environmental Impact Report for the General Plan update that extends the existing agreement through December 31, 2017; and
2. Authorizes the City Manager or her designee to execute the Agreement Amendment No. 1 (**Exhibit A**) and manage all project documentation.

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# Attachment A

## Exhibit A

### FIRST AMENDMENT TO AGREEMENT

This First Amendment to the Agreement ("**First Amendment**") is entered into by and between THE CITY OF LEMON a municipal corporation (the "CITY"), and Dudek, a professional environmental firm (the "CONTRACTOR").

#### RECITALS:

A. The City and the Contractor entered into a Professional Services Agreement on May 26, 2016 for the preparation of a Program Environmental Impact Report for the General Plan Update. The Professional Services Agreement is set to expire on November 30, 2016; however, the Professional Services Agreement allows for a mutually agreed upon extension of the agreement expiration date.

B. The City and the Contractor desire to amend the May 26, 2016 Professional Services Agreement as set forth herein. All initially capitalized terms not otherwise defined herein shall have the same meanings as set forth in the May 26, 2016 Professional Services Agreement.

#### AGREEMENT:

1. Length of Agreement. Section 5 of the May 26, 2016 Professional Service Agreement is deleted in its entirety and replaced as follows:

"5. Length of Agreement. The duration of this agreement will be until December 31, 2017 unless an extension is otherwise mutually agreed upon and approved."

2. Counterparts. This First Amendment may be signed in multiple counterparts with the same force and effect as if all original signatures appeared on one copy; and in the event this First Amendment is signed in counterparts, each counterpart shall be deemed an original and all of the counterparts shall be deemed to be one First Amendment.

3. Effect of First Amendment. Except as amended hereby, the May 26, 2016 Professional Services Agreement remains in full force and effect.

## Attachment A

IN WITNESS WHEREOF, The City and the Contractor have executed this First Amendment as of the date set forth above.

**THE CITY:**

THE CITY OF LEMON GROVE.,

By: \_\_\_\_\_

Name: Lydia Romero

Its: City Manager

Approved as to legal form:

By \_\_\_\_\_  
James P. Lough, City Attorney

**THE CONTRACTOR:**

DUDEK,

By: \_\_\_\_\_

Name: Frank Dudek

Its: President